

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
DECEMBER 11, 1974

An adjourned meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, December 11, 1974, in the City Hall Council Chambers.

ROLL CALL            Present: Councilmen - EHRHARDT, HUGHES,  
   KATNICH, SCHAFFER and  
   PINKERTON (Mayor)

Absent: Councilmen - None

Also present: City Manager Henry Glaves, Assistant City Manager Jerry Glenn, Assistant City Attorney C. M. Sullivan, Planning Director James Schroeder, and Assistant City Engineer Glenn Robison

The City Clerk announced that this adjourned meeting of the regular meeting of the Lodi City Council is being called by Mayor Pinkerton pursuant to Government Code Section 54956.

WAIVER OF WRITTEN NOTICE OF DEC. 11, 1974 ADJOURNED REGULAR MEET- ING OF LODI CITY COUNCIL	A written waiver of notice, which has been signed by the members of the Council of the City of Lodi stating, "Pursuant to Government Code Section 54956, the undersigned members of the City Council of the City of Lodi do hereby dispense with the necessity of written notice of the adjourned regular meeting of the Lodi City Council to be held on Wednesday, December 11, 1974 at 8:00 p.m." is on file in the office of the City Clerk.
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INVOCATION            The invocation was given by Councilman Ehrhardt.

PLEDGE Mayor Pinkerton led the Pledge of Allegiance to the flag.

MINUTES            On motion of Councilman Ehrhardt, Katnich second,  
the minutes of November 20, 1974 were approved  
as written and mailed.

## PLANNING COMMISSION

CC 35(c) The City Manager gave the following report of the Planning Commission meeting of December 9, 1974:

ACTIONS OF INTEREST

1. Approved the request of Mrs. Erma Pond for an Amended Use Permit to increase the number of people in a previously-approved rest home from 5 to 6 at 1330 West Walnut Street in an area zoned

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R-GA, Garden Apartment Residential with the conditions that the Applicant conform to the requirements of the local and state agencies concerned with the construction, licensing and operation of the rest home.

2. Determined that a zoning hardship did not exist and denied the request of Mr. Norman Maclusi for Variances (1) to reduce the required driveway length from 20 feet to 13 feet, 6 inches and (2) to permit required off-street parking in a required interior side yard on the front half of a lot to permit the conversion of a single-family dwelling to a duplex at 318 Cypress Street in an area zoned R-MD, Medium Density Multiple Family Residential.

3. Heard a staff report on the progress of the following mandatory General Plan Elements (1) Noise, (2) Seismic Safety, (3) Public Safety, (4) Housing and (5) Scenic Highways.

#### COMMUNICATIONS

<p>ABC LICENSE CC 7(4)</p>	<p>An application for Alcoholic Beverage License was received for Lawrence Heller and Anita Heller, the Southland Corp., 401 N. California Street, Lodi (7-Eleven Store) - Off Sale Beer and Wine License - Person to Person Transfer.</p>
<p>CLASS ACTION CLAIM CC 4(2)</p>	<p>Council was informed by the City Clerk that the City Attorney had, pursuant to the action of the Lodi City Council on November 6, 1974 at a duly and regularly held meeting of said Council, forwarded to Leslie C. Nichols and Rubin Tepper, Attorneys at Law, 430 Sherman Avenue, Suite 306, Palo Alto, California 94306, a Notice of Insufficiency of Claim, which class action claim was filed on behalf of Gonzales, Berry, Battle, et al. On motion of Councilman Katnich, Ehrhardt second, the claim was rejected by the Council and referred to the City's Agent of Record.</p>
<p>"NEUHARTH- EAST" PETITION RECEIVED</p>	<p>The City Clerk presented to Council a petition which had been received and which was signed by some of the property owners of the land proposed to be annexed to the City as "Neuharth-East Addition". Said annexation was approved by the Local Agency Formation Commission of San Joaquin on July 19, 1974. On motion of Councilman Katnich, Schaffer second, the Council adopted Resolution No. 4012 declaring the Council's intent to annex the "Neuharth-East Addition" and setting the public hearing thereon for February 5, 1975.</p>
<p>RES. NO. 4012 CC 8(a) CC 300</p>	

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"COMMUNITY  
HOSPITAL  
ADDITION"  
PETITION  
RECEIVED

The City Clerk also presented to the Council a petition which had been received which was signed by some of the property owners of the land proposed to be annexed to the City as "Community Hospital Addition". Said annexation was approved by the Local Agency Formation Commission of San Joaquin on August 16, 1974. On motion of Councilman Ehrhardt, Schaffer second, the Council adopted Resolution No. 4013 declaring the Council's intent to annex the "Community Hospital Addition" and setting the public hearing thereon for February 5, 1975.

RES. NO. 4013  
cc 8(a)  
cc 300

CLAIM  
cc 4(c)

A Claim for damages as follows was presented to Council which had been filed on behalf of Juan Gonzalez, P. O. Box 272, Woodbridge, California:

- (a) \$1,000.00 for medical bills
- (b) \$3,000.00 prospective injury
- (c) \$6,000.00 for pain and suffering, mental anguish, embarrassment and anxiety

On motion of Councilman Ehrhardt, Hughes second, the Claim was rejected by Council and referred to the City's Agent of Record.

CONSENT  
CALENDAR

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Katnich, Ehrhardt second, were approved by Council:

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CLAIMS  
cc 21(a)

CLAIMS WERE APPROVED IN THE AMOUNT OF \$730,305.50.

AWARD - 1/2 TON  
PICKUP TRUCK  
PUBLIC WORKS  
DEPT.

Per report of the City Manager, bids have been received for a 1/2 ton pickup truck for the Public Works Department as follows:

<u>Bidder</u>	<u>Amount</u>
Weil Motors, Inc.	\$3,966.79
Sanborn Chevrolet, Inc.	\$4,172.66
Geweke Ford	\$4,273.35
Peter's Pontiac-	
Cadillac-GMC, Inc.	\$4,297.20
Courtesy Lincoln	
Mercury	\$4,524.47

RES. NO. 4014  
cc 12(d)  
cc 300

Report and recommendation of the City Manager indicates that the award be made to Weil Motors, Inc. in the amount of \$3,966.79.

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RESOLUTION NO. 4014

RESOLUTION AWARDING THE CONTRACT FOR A 1/2 TON PICKUP TRUCK FOR THE PUBLIC WORKS DEPARTMENT, TO WEIL MOTORS, INC., THE LOW BIDDER, IN THE AMOUNT OF \$3,966.79.

ACCEPTANCE OF  
CREEKSIDE SOUTH  
DEVELOPMENT

City Manager Graves reported that development improvements in Creekside South have been completed in substantial conformance with the requirements of the Development Agreement between the City of Lodi and Westmont Development Company dated December 14, 1972, and as specifically set forth in the plans and specifications approved by the City Council. The developer has deposited with the City of Lodi \$1,848.00 to cover the final asphalt concrete surfacing as set forth in the Agreement.

Report of the City Manager recommends the Council adopt a resolution accepting the development improvements and street included in Creekside South. The street to be accepted is Scarborough Drive 0.08 miles.

RES. NO. 4015

cc 46  
cc 300

RESOLUTION NO. 4015

RESOLUTION ACCEPTING THE IMPROVEMENTS AND OFFER OF DEDICATION OF A CERTAIN PUBLIC STREET IN CREEKSIDE SOUTH.

City Manager Graves' report to the Council recommended that Council accept the improvements in "Lodi Avenue Storm Drain, Kelly Street to 700' E/o Cluff Avenue", stating that the award had been made to Valley Irrigation Company on August 21, 1974. The contract has now been completed in substantial conformance with the plans and specifications approved by the City Council.

ACCEPTANCE  
OF "LODI AVE.  
STORM DRAIN"

cc 90

COUNCIL ACCEPTED THE IMPROVEMENTS IN "LODI AVENUE STORM DRAIN, KELLY STREET TO 700 FEET EAST OF CLUFF AVENUE", AND DIRECTED THE ASSISTANT CITY ENGINEER TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

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TOKAY HI AND  
GALT HI  
STUDENTS IN  
AUDIENCE

Students from Tokay High School and Galt High School were in the audience. Tokay High School student Scott Francis addressed the Council posing questions regarding Council procedure.

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Council welcomed the students and answered questions as presented by Mr. Francis.

EXTENSION OF  
CCCJ GRANT  
#A-1378-73

City Manager Graves reported to the Council that the Police Department's Criminal Justice Grant Award No. A-1378-73, entitled "City of Lodi - Agency Planning and Development Project" ended its grant period with unused funds. This project was without a CCCJ Planner for a period of time, and therefore, funds previously projected for the salary of the CCCJ Planner were not expended.

RES. NO. 4016

cc 52  
cc 300

Following discussion on the matter, on motion of Councilman Ehrhardt, Schaffer second, Council adopted Resolution No. 4016 approving the extension of the Lodi Police Department - California Criminal Justice Grant Award No. A-1378-73 from October 31, 1974 to December 31, 1974 and authorizing the City Manager to execute the amendment on behalf of the City of Lodi.

RIGHT-OF-WAY  
AGREEMENT -  
STANLEE T.  
BECKMAN

cc 52 (C)

The City Manager reported that Staff had been in contact with Mr. Stanlee T. Beckman regarding dedication to the City of Lodi of the necessary right-of-way to extend Ham Lane from the Tokay High School site to Kettleman Lane. This extension will be 24 feet wide from the north limit of the school site to Kettleman Lane. A copy of an agreement covering the dedication of this right-of-way was presented to Council for its scrutiny. City Manager Graves pointed out that there would be no exchange of money for this parcel. The City will be taking care of the existing irrigation lines that are crossing the area and will be installing a tractor crossing.

Following discussion, with questions being directed by Council to the City Manager, Assistant City Attorney, and Assistant City Engineer, on motion of Councilman Katnich, Schaffer second, Council approved the Agreement between Stanlee T. Beckman and the City of Lodi and authorized the City Manager to execute the Agreement on behalf of the City and also authorized the City Clerk to accept the deed for the right-of-way for the extension of Ham Lane.

ADDENDUM TO  
MEMORANDA OF  
UNDERSTANDING  
(SJCEA)APPROVED

cc 6

Copies of proposed Addendum to the Memoranda of Understanding with those units represented by the San Joaquin County Employees Association, Inc. dated July 8, 1974 were presented to the Council by City Manager Graves.

On motion of Councilman Ehrhardt, Schaffer second,

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the Council accepted the Addendum to the Memoranda of Understanding for General Services, Fire and Police personnel as outlined by the City Manager.

The City Manager presented to the Council bids which had been received for the switched capacitor banks to be installed at Killelea Substation as follows:

	Alt. No. 1 Open-Rack Design	Alt. No. 2 Aesthetic Design	Alt. No. 2A Aesthetic Design	Delivery	Escal.	Addl All-1
Consolidated Elec. Dist. (McGraw-Edison)	\$13,536.20	\$13,936.88	\$15,227.96	20 weeks	BLS	\$287
Westinghouse Electric (No switch for Alt. No. 2)	18,116.70	17,640.00	---	30 weeks	BLS	Not offer
Graybar Electric Co. (General Electric)	14,435.08	16,203.16	---	20-25 weeks	BLS	Not offer
General Electric Supply	14,454.16	16,234.96	---	20-25 weeks	BLS	Not offer
Sangamo Electric (Add shipping \$602 or \$718)	18,437.64	19,641.80	---	22-24 weeks	Not over 10%	Not offer
Western Power Products (Does not include ground switch. Pad-mounted design)	---	20,722.00	---	30 weeks	None	Not offer

City Manager Graves recommended that the bid be awarded to the low bidder, Consolidated Electrical Distributors of Stockton, California, further recommending that the aesthetic design, Alternate No. 2 be selected because of the small \$400.00 difference between the aesthetic and open-rack design.

#### AWARD-CAPACITORS FOR KILLELEA SUB- STATION

CC 12(c)  
CC 300

RES. NO. 4017

Following discussion, on motion of Councilman Ehrhardt, Schaffer second, the Council adopted Resolution 4017 awarding the contract for the switched capacitor banks to be installed at Killelea Substation to the low bidder, Consolidated Electrical Distributors of Stockton, CA in the amount of \$13,936.88.

City Manager Graves presented to Council bids which had been received for the 69-kv oil circuit breaker to be installed in the Killelea Substation as follows:

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	<u>Price</u>	<u>Tank</u>	<u>Escal.</u>	<u>Delivery</u>
Consolidated Elec- trical Dist. (McGraw- Edison) (\$650 adder for required terminals)	\$23,929.50	Single	BLS	28 weeks
Allis-Chalmers	28,104.30	Single	BLS	30 weeks
Graybar Electric (General Electric)	27,293.94	3-tank	BLS	36 weeks
Westinghouse	26,256.30	3-tank	BLS	38 weeks
Electric Supply	23,887.50	Single	BLS	38 weeks
General Electric Supply Co.	27,242.00	3-tank	BLS	36 weeks

AWARD - 69 KV  
OIL CIRCUIT  
BREAKER

City Manager Graves explained that the apparent low bidder is Westinghouse Electric Supply with a bid of \$23,887.50; however, a detailed investigation of the bids reveals that the indexes for labor and material used in computing the bids are not the same. When the bids are evaluated considering base price, escalation policy, and estimated delivery, Consolidated Electric Distributors' bid becomes the lowest delivered cost.

RES. NO. 4018  
cc 12 (d)  
cc 300

Following discussion and inquiries regarding the bids received on the 69-KV Oil Circuit Breaker by the Council being directed to Mr. William Lewis, Director of Utilities, and the City Manager, on motion of Councilman Katnich, Ehrhardt second, the Council adopted Resolution No. 4018 awarding the contract for the 69-KV Oil Circuit Breaker to be installed in Killelea Substation to Consolidated Electrical Distributors of Stockton in the amount of \$23,929.50, plus \$650.00 for the necessary terminals, as recommended by the City Manager.

City Manager Graves presented to the Council a letter dated October 30, 1974 from the Department of Transportation concerning railroad grade crossing protection. This letter and additional input from the Caltrans office in Sacramento indicates the following:

RAILROAD  
CROSSING  
PROTECTION  
cc 48 (c)

Railroad highway grade crossings are eligible for Federal funding in the amount of 90% Federal, 10% local. In order to get the total project going on a statewide basis, Caltrans has determined that the best method of handling this is for Caltrans to do the leg work, asking the City only to provide them with a priority listing of eligible crossings and a letter indicating that the City is willing to provide the 10%

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matching funds for installation of protective devices.

The crossing protections are expected to cost approximately \$40,000 each, of which the City would be responsible for providing \$4,000 for each.

After considerable discussion on the matter, on motion of Councilman Ehrhardt, Schaffer second, Council authorized staff to advise the State of California, Department of Transportation of the City's willingness to participate to the extent of 10% in the Federal Railroad Grade Crossing Improvement Program as outlined in the Department of Transportation's letter dated October 30, 1974 and listed the priority of the crossings on Federal-aid routes to be the Southern Pacific Railroad Company's crossings at:

(Listed in order of priority)

(1) Lodi Avenue

(2) Lockeford Street

(3) Elm Street

#### ADJOURNMENT

There being no further business, the meeting was adjourned by Mayor Pinkerton at approximately 9:10 P.M. on motion of Councilman Katnich, Ehrhardt second.

*Alice M. Reimche*  
Attest: ALICE M. REIMCHE  
City Clerk